

Below is my written testimony to the GAE Committee on S.B. No. 1196; Sec. 14

Douglas Schwartz
New London, CT

I write in full support of the proposed Haddam land swap in S.B. No. 1196; Sec. 14. By approving this transaction, we could decisively demonstrate that under the Malloy administration, Connecticut is now open for business. Good riddance to Rell and her crew. They destroyed our economy. Thankfully, we now have a governor who understands how to accommodate business. Cast in the mold of previous visionary leaders such as Jim Amman, John Rowland and Joe Ganim, Governor Malloy has appointed commissioners determined to cut through red tape and do whatever it takes to incubate business opportunities.

The history of this proposed swap is littered with cowardice. First Rell got weak in the knees in 2009, refused to play ball and vetoed the bill after it successfully passed in the final minutes of the legislative session. Then the pipsqueaks in the legislature hid under their desks in 2010. Finally, we have a chance to show some real initiative, now that we have a courageous and visionary leader in the governor's mansion, thanks in no small part to the outstanding work Mayor Finch and his registrars did in Bridgeport recently. It was magical how so many ballots could vanish in so short a span of time. For that single act these folks deserve the eternal thanks of all business-oriented people in a state so desperate for development.

A noteworthy example of cowardice in this matter was that of (thankfully) former State Representative James Spallone. I am sure the members of this committee were as glad to see him go as were those of us excited by the development opportunities the new Malloy administration promises. In a 2010 letter to constituents¹ to explain why he lacked the spine to follow through on his original support for this transaction, Spallone listed four principal reasons for his opposition:

1. "The DEP opposes the swap".
2. "The Connecticut River Gateway Commission opposes the swap."
3. "The parcel was sold and purchased with the intention that it remain as open space."
4. "The transaction would set a bad precedent."

Let's examine each of Spallone's vapid and specious arguments in turn.

DEP opposition: Spallone chose to hide behind DEP Commissioner Marella's skirts, citing her opposition to the proposal as a reason for his no vote. Who cares??? At least the proponents of the transaction kept their wits about them and had the presence of mind to assert that the previous commissioner had supported the swap, absent any documentary evidence to support this contention. I greatly admire creative thinking and action.

Gateway Commission opposition: Ditto. Who really cares what these twerps think? Of course

they will oppose the plan. Tree huggers oppose all development. Are we going to surrender to these clowns, or will we have the spine to simply tell them to go pound sand?

Original intent: Spallone chose to seek the last refuge of gutless scoundrels, the wording of the deed. Are we suddenly supposed to be enforcing contract law in this state? What do we have an Attorney General's office for if not to bless the possible, rather than find ways to make development impossible? Uncreative thinking never accomplished anything.

Bad precedent: On the contrary, if developers are not free to identify specific public properties for their private acquisition, what was the whole point of the superb *Kelo* decision we got out of the U.S. Supreme Court recently? After all the hard work which went into this massive victory for business interests, to throw it all away because one little wimp can not stand up to his constituents is truly despicable. Spallone was worried that "... *it may also encourage developers to look for other open space to trade for open space they want to convert.*" No kidding. That is precisely the point, and why I have taken up his suggestion in my proposal below.

As one of the Gateway Commission members stated, "Surrendering land to development that was originally and specifically acquired for conservation sends a chilling message to those who are inclined to donate land for conservation." No, the actual chilling message is that surrendering to the tree huggers tells us that such officials are not serious about development. I say, the more development we have the better. And to those liberal pukes who whine every time a tree gets cut, I will only repeat that Governor Malloy has stated that Connecticut is now open for business, and he means it.

To make matters worse, the coward who replaced Spallone in the legislature has suddenly gotten cold feet as well. Memo to Miller: if you can't take the heat in the Hartford sausage factory, you have no business being a representative and should go back to your day job in sleepy Essex.

I was particularly incensed to learn of the comments of one of the Gateway Commission members that this proposed conveyance should "follow the process, not lead." This is precisely the anti-business philosophy which has caused development in this state to grind to a halt. If developers are going to suddenly be forced to follow procedures and regulations, where does that leave them?

As Jon Crane, (the developer's spokesman) noted, "People are trying to cast aspersions but there's nothing wrong with what [the developers] want to do. They just want to make money. That's the American way."ⁱⁱⁱ Straightforward, plain English. Why the WTNH station managers canned this promising young TV personality at the tender age of 38ⁱⁱⁱ is beyond me.

More than anything, the history of this proposal underscores how backward and unsophisticated our development process is in this state. It would be far more sensible to designate 36 specific lobbyists (one for each senatorial district) to handle these matters. That

way developers would know who to turn to and would not be forced to hire PR flacks, appraisers, consultants, engineers, environmental studies, etc. One-stop shopping with direct access to the real decision makers in the administration.

Senator Daily should be singled out for special recognition. She has proven a stalwart advocate for her constituent, in the face of hysterical opposition from those opposed to all development. Any senator who would come back time after time for the sake of a solitary developer, and in the face of near unanimous opposition, is a person who can clearly be counted upon when the chips are down. Several of us have taken to affectionately referring to her as The Hammer^{iv}, after her explanation to the Gateway Commission for why she refuses to back down from her unstinting advocacy for her constituent. Senator Daily should be particularly commended for the creative language inserted into the draft bill, which allows the acreage involved (on both sides of the transaction) to remain ambiguous and subject to non-public negotiation, while further muddying the waters with the continuation of the ruse that the Goodspeed is somehow a party to this transaction, although they backed out long ago.

Not only should this deal be approved, but we should use it as a template for how to get business done in Connecticut. In fact, I would be more than willing to act as a test case to illustrate how astute business people can grow our state's economy. The opportunities which could be unleashed are limitless. If you give me the green light, I will put together a far more ambitious land swap proposal in time for the 2012 legislative session. I will propose to trade the 184 acres of Gillette's Castle for certain upland acreage I will acquire. This acreage will undoubtedly consist of many acres of fine wetlands and attractive ledge outcrops, and will make a fine wildlife preserve. While I can not guarantee that economic considerations will allow me to include the conveyance of all the harvestable timber on the property, rest assured that any removed trees will soon regrow and the transaction will make for a fine addition to our inventory of priceless state forests. (By the way, the Haddam transaction opponents have started a nasty rumor that much of the standing lumber has recently been logged off of the proposed swap land. They should be made to substantiate these scurrilous lies.) Not only will the state thereby acquire many acres of new state forest, but taxpayers will no longer have to foot the bill for the leaky roof in that dump, which has been underutilized and mismanaged for decades.

While opponents of this transaction deride it as "Let's make a deal," I do not find this to be a pejorative term. On the contrary, if Connecticut developers were able to make many more deals of this sort, we would be a far better place to do business. In fact, the motto on our state seal should be changed from the absurd, archaic nonsense it now consists of to: Let's make lots of deals.

ⁱ http://haddambulletin.com/assets/haddam_land_swap-spallone.pdf

ⁱⁱ <http://www.courant.com/community/haddam/hc-haddam-land-swap-0318-20110317,0,6397119.story>

ⁱⁱⁱ

<http://www.nhregister.com/articles/2011/02/24/entertainment/doc4d66e698277dc935413442.txt?viewmode=fullstory>

^{iv} Turner asked Senator Daily why she seemed reluctant to pull the bill after the public

hearing is held. Daily said that a "hammer" needs to be held over the head of the Haddam land use commission[ers] to insure that the process doesn't slow to a point detrimental to the Riverhouse partners.
<http://www.ctrivergateway.org/Minutes/GWSpMtgMinutes022811.pdf>